THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 18 NUMBER 175

Washington, Saturday, September 5, 1953

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10483

ESTABLISHING THE OPERATIONS COORDINATING BOARD

By virtue of the authority vested in me by the Constitution and statutes, and as President of the United States, it is hereby ordered as follows:

SECTION 1. (a) In order to provide for the integrated implementation of national security policies by the several agencies, there is hereby established an Operations Coordinating Board, hereinafter referred to as the Board, which shall report to the National Security Council.

(b) The Board shall have as members the following: (1) the Under Secretary of State, who shall represent the Secretary of State and shall be the chairman of the Board, (2) the Deputy Secretary of Defense, who shall represent the Secretary of Defense, (3) the Director of the Foreign Operations Administration, (4) the Director of Central Intelligence, and (5) a representative of the President to be designated by the President. Each head of agency referred to in items (1) to (4), inclusive, in this section 1 (b) may provide for an alternate member who shall serve as a member of the Board in lieu of the regular member representing the agency concerned when such regular member is for reasons beyond his control unable to attend any meeting of the Board; and any alternate member shall while serving as such have in all respects the same status as a member of the Board as does the regular member in lieu of whom he serves.

(c) The head of any agency (other than any agency represented under section 1 (b) hereof) to which the President from time to time assigns responsibilities for the implementation of national security policies, shall assign a representative to serve on the Board when the Board is dealing with subjects bearing directly upon the responsibilities of such head. Each such representative shall be an Under Secretary or corresponding official and when so serving such representative shall have the same status on the Board as the members provided for in the said section 1 (b).

(d) The Special Assistant to the President for National Security Affairs may attend any meeting of the Board. The Director of the United States Information Agency shall advise the Board at its request.

SEC. 2. The National Security Council having recommended a national security policy and the President having approved it, the Board shall (1) whenever the President shall hereafter so direct, advise with the agencies concerned as to (a) their detailed operational planning responsibilities respecting such policy, (b) the coordination of the interdepartmental aspects of the detailed operational plans developed by the agencies to carry out such policy, (c) the timely and coordinated execution of such policy and plans, and (d) the execution of each security action or project so that it shall make its full contribution to the attainment of national security objectives and to the particular climate of opinion the United States is seeking to achieve in the world, and (2) initiate new proposals for action within the framework of national security policies in response to opportunity and changes in the situation. The Board shall perform such other advisory functions as the President may assign to it and shall from time to time make reports to the National Security Council with respect to the carrying out of this order.

SEC. 3. Consonant with law, each agency represented on the Board shall, as may be necessary for the purpose of effectuating this order, furnish assistance to the Board in accordance with section 214 of the Act of May 3, 1945, 59 Stat. 134 (31 U. S. C. 691). Such assistance may include detailing employees to the Board, one of whom may serve as its Executive Officer, to perform such functions, consistent with the purposes of this order, as the Board may assign to them.

SEC. 4. The Psychological Strategy Board shall be abolished not later than sixty days after the date of this order and its outstanding affairs shall be wound up by the Operations Coordinating Board.

SEC. 5. As used herein, the word "agency" may be construed to mean any instrumentality of the executive branch of the Government, including any executive department.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

SEC. 6. Nothing in this order shall be construed either to confer upon the Board any function with respect to internal security or to in any manner abrogate or restrict any function vested by law in, or assigned pursuant to law to, any agency or head of agency (including the Office of Defense Mobilization and the Director of the Office of Defense Mobilization).

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
September 2, 1953.

[F. R. Doc. 53-7812; Filed, Sept. 3, 1953; 4:03 p. m.]

RULES AND REGULATIONS

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Effective upon publication in the FEDERAL REGISTER, the position listed below is excepted from the competitive service under Schedule C.

§ 6.323 *Department of Health, Education, and Welfare*—(a) *Office of the Secretary.* * * *

(6) One Assistant to the Secretary.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 10440, March 31, 1953, 18 F. R. 1823)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F R. Doc. 53-7774; Filed, Sept. 4, 1953; 8:47 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Lemon Reg. 500, Amdt. 1]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

Findings. 1. Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice and engage in public rule making procedure, and postpone the effective date of this regulation until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and this amendment relieves restriction on the handling of lemons grown in the State of California or in the State of Arizona.

Order, as amended. The provisions in paragraph (b) (1) (ii) of § 953.607 (Lemon Regulation 500, 18 F. R. 5163) are hereby amended to read as follows:

(ii) District 2, 300 carloads.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 2d day of September 1953.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 53-7781; Filed, Sept. 4, 1953; 8:49 a. m.]

[Lemon Reg. 501]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.608 *Lemon Regulation 501*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified in this section was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on September 2, 1953, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time of this section.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., September 6, 1953, and ending at 12:01 a. m., P. s. t., September 13, 1953, is hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 200 carloads;

(iii) District 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2" and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 3d day of September 1953.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

DISTRICT NO. 2

[Storage date: August 30, 1953]

[12:01 a. m. September 6, 1953, to 12:01 a. m. September 20, 1953]

Handler	*Prorate base (percent)*
Total	100.000
American Fruit Growers, Inc., Corona	.198
American Fruit Growers, Inc., Fullerton	.518
American Fruit Growers, Inc., Upland	.133
Consolidated Lemon Co	.919
Ventura Coastal Lemon Co	1.295
Ventura Pacific Co	2.608
Chula Vista Mutual Lemon Association	.635
Index Mutual Association	.331
La Verne Cooperative Citrus Association	2.501
Ventura County Orange & Lemon Association	3.008
Glendora Lemon Growers Association	1.367
La Verne Lemon Association	.675
La Habra Citrus Association	.836
Yorba Linda Citrus Association	.798
Escondido Lemon Association	2.394
Cucamonga Mesa Growers	.905
Etiwanda Citrus Fruit Association	.280
San Dimas Lemon Association	.999
Upland Lemon Growers Association	5.152
Central Lemon Association	1.002
Irvine Citrus Association	.968
Placentia Mutual Orange Association	.508
Corona Citrus Association	.203
Corona Foothill Lemon Co	2.008
Jameson Co	.788
Arlington Heights Citrus Co	.395
College Heights Orange & Lemon Association	3.829
Chula Vista Citrus Association, The	1.004
Escondido Cooperative Citrus Association	.181
Fallbrook Citrus Association	1.385
Lemon Grove Citrus Association	.246
Carpinteria Lemon Association	2.762
Carpinteria Mutual Citrus Association	3.051
Goleta Lemon Association	5.620
Johnston Fruit Co	6.527
North Whittier Heights Citrus Association	.503
San Fernando Heights Lemon Association	.378

PRORATE BASE SCHEDULE—Continued

DISTRICT NO. 2—continued

Handler	Prorate base (percent)
Sierra Madre-Lamanda Citrus Association	0.286
Briggs Lemon Association	3.228
Culbertson Lemon Association	1.302
Fillmore Lemon Association	.952
Oxnard Citrus Association	5.181
Rancho Sespe	.972
Santa Clara Lemon Association	4.599
Santa Paula Citrus Fruit Association	4.690
Saticoy Lemon Association	4.746
Seaboard Lemon Association	4.531
Somis Lemon Association	4.049
Ventura Citrus Association	1.682
Ventura County Cirtus Association	.556
Limoneira Co	3.249
Teague-McKevett Association	1.025
East Whittier Citrus Association	.323
Murphy Ranch Co	1.222
Dunning, Vera Hueck	.006
Far West Produce Distributors	.016
Huarte, Joseph D	.000
Paramount Citrus Association, Inc	.388
Santa Rosa Lemon Co	.087

[F. R. Doc. 53-7927; Filed, Sept. 4, 1953; 9:14 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 53337]

PART 11—PACKING AND STAMPING; MARKING; TRADE-MARKS AND TRADE NAMES; COPYRIGHTS

METHOD OF MARKING TO INDICATE NAME OF COUNTRY OF ORIGIN

Method of marking prescribed to indicate the name of the country of origin of certain articles on and after September 7, 1953, the effective date of the repeal of certain special-marking provisions of the Tariff Act of 1930.

Section 4 (a), Customs Simplification Act of 1953, repeals as of September 7, 1953, the special-marking provisions contained in paragraphs 28, 354, 355, 357, 358, 359, 360, 361, and 1553 of the Tariff Act of 1930 (19 U. S. C. 1001, pars. 28, 354, 355, 357, 358, 359, 360, 361, and 1553).

On and after September 7, 1953, any article of foreign origin classifiable under any of the afore-mentioned paragraphs of the tariff act will continue to be subject to the provisions of section 304 of the Tariff Act of 1930, as amended (19 U. S. C. 1304), which section requires, with certain exceptions, that every article of foreign origin (or its container) shall be marked so as to indicate to an ultimate purchaser in the United States the English name of the country of origin of such article (or container), and authorizes, among other things, the Secretary of the Treasury to prescribe by regulations any reasonable method of marking.

Pursuant to the last-mentioned authority, § 11.8 (d), Customs Regulations of 1943 (19 CFR 11.8 (d)), is amended by substituting "Except as provided for in the last sentence of this paragraph, the method" for "The method" at the beginning of the first sentence and by adding at the end of the paragraph the following new sentence: "Subject to the exceptions specified in section 304 (a) (3), Tariff Act of 1930, as amended, each article classifiable under paragraph 354, 355, 357, 358, 359, 360, 361, or 1553 of that Act shall be marked legibly and conspicuously to indicate its origin by die-stamping, cast-in-the-mold lettering, etching (acid or electrolytic), engraving, or by means of metal plates which bear the prescribed marking and which are securely attached to the article by screws or rivets."

(R. S. 161, 251, sec. 624, 46 Stat. 759; 5 U. S. C. 22, 19 U. S. C. 66, 1624. Interprets or applies sec. 304, 46 Stat. 687, as amended; 19 U. S. C. 1304)

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

Approved: September 2, 1953.

H. CHAPMAN ROSE,
Acting Secretary of the Treasury.

[F. R. Doc. 53-7802; Filed, Sept. 3, 1953; 2:52 p. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

Subchapter A—The Department

PART 97—OCEAN SHIPMENTS OF SUPPLIES BY VOLUNTARY NON-PROFIT RELIEF AGENCIES

SUPERSEDURE

CROSS REFERENCE: For supersedure of this part, see Part 202 of this title, *infra.*

PART 98—REGISTRATION OF AGENCIES FOR VOLUNTARY FOREIGN AID

SUPERSEDURE

CROSS REFERENCE: For supersedure of this part, see Part 203 of this title, *infra.*

Chapter II—Foreign Operations Administration

PART 202—OCEAN SHIPMENTS OF SUPPLIES BY VOLUNTARY NONPROFIT RELIEF AGENCIES

AUGUST 31, 1953.

Pursuant to section 535 of Public Law 400, 82d Congress, and Executive Order No. 10458 of June 1, 1953, the authority to pay ocean freight charges on shipments of relief supplies and packages under section 117 (c) of the Economic Cooperation Act of 1948, as amended, had been placed in the Mutual Security Agency, and as a result of Reorganization Plan No. 7 of 1953, effective August 1, 1953, this authority is now exercised by the Director of the Foreign Operations Administration.

Sec.
202.1 Definition of terms.
202.2 Scope of the regulations in this part.
202.3 Agencies within scope of the regulations in this part.
202.4 Manner of payment of ocean freight charges.
202.5 Refund by agencies.
202.6 Saving clause.

AUTHORITY: §§ 202.1 to 202.6 issued under sec. 104, 62 Stat. 138, as amended; 22 U. S. C. Sup. 1503. Interpret or apply sec. 117, 62 Stat. 153, as amended, sec. 535, Pub. Law 400, 82d Cong.; 22 U. S. C. and Sup. 1515, E. O. 10458, June 1, 1953, 18 F. R. 3159.

§ 202.1 *Definition of terms.* For the purposes of this part:

(a) "The Director" shall mean the Director of the Foreign Operations Administration.

(b) "The Committee" shall mean the Advisory Committee on Voluntary Foreign Aid of the Foreign Operations Administration.

(c) "Supplies" shall include goods shipped in bulk and relief packages.

§ 202.2 *Scope of the regulations in this part.* This part provides the rules under which the Director, in order to further the efficient use of United States voluntary contributions for relief in countries or zones hereinafter designated, will pay ocean freight charges from United States ports to initial foreign ports of entry of such designated countries or zones on supplies donated to, or purchased by, United States voluntary nonprofit relief agencies registered with the Committee, for distribution in Austria, those areas of China which the Director may deem to be eligible for assistance, the Federal Republic of Germany, Greece, France, India, Italy, Pakistan, the zones of Trieste occupied by the United States, the United Kingdom and Yugoslavia, and, when the Director determines it necessary and expedient, in any country eligible for economic or technical assistance under the Mutual Security Act of 1951, as amended (Pub. Law 165, 82d Cong., 1st sess., Pub. Law 400, 82d Cong., 2d sess., and Pub. Law 118, 83d Cong., 1st sess.).

§ 202.3 *Agencies within scope of the regulations in this part.* Any United States voluntary nonprofit relief agency may make application for reimbursement of ocean freight charges on shipments of supplies donated to or purchased by it for distribution within the foreign countries and zones listed in § 202.2, provided:

(a) An agreement for duty-free entry and defrayment of inland transportation costs of relief supplies within the scope of the regulations in this part has been concluded between the United States and the recipient country.

(b) The general program and projects by countries of operation of the agency, and the supplies in support thereof, have been approved by the recipient country in accordance with the agreement referred to in paragraph (a) of this section.

(c) The agency is registered with the Committee, and therefore has met all the requirements of registration as set forth in the regulations "Registration of Agencies for Voluntary Foreign Aid." (Part 203 of this subchapter.)

§ 202.4 *Manner of payment of ocean freight charges.* By means of an equitable apportionment of the funds available for this purpose the Director will reimburse agencies qualified under §§ 202.2 and 202.3 to the extent of ocean freight charges paid by them for shipments made in conformity with the reg-

ulations in this part: *Provided,* That application for such reimbursement is submitted to the Director of the Foreign Operations Administration, Attention: Advisory Committee on Voluntary Foreign Aid, Foreign Operations Administration, Washington 25, D. C., within forty-five days of date of shipment, together with receipted invoices for such charges, supported by ocean bills of lading, showing that such charges are limited to the actual cost of transportation of the supplies from end of ship's tackle at the United States port of loading to end of ship's tackle at port of discharge, correctly assessed at the time of loading by the carrier for freight on a weight, measurement, or unit basis, and free of any other charges.

§ 202.5 *Refund by agencies.* Any agency reimbursed under this part will refund promptly to the Director upon demand the entire amount, or any lesser amount specified, of ocean freight charges reimbursed, and to the recipient country upon demand the entire amount, or any lesser amount specified, of inland transportation costs reimbursed, (1) whenever the Director determines that the reimbursements were improper as being in violation of any of the provisions of Public Law 165, 82d Congress, any acts amendatory thereof or supplemental thereto, any relevant appropriation acts, or any rules, regulations or procedures of the Foreign Operations Administration, and (2) unless such agency files, within sixty days after reimbursement has been made, a certificate stating that all supplies for which such reimbursement was made were admitted by the country of ultimate destination free of all customs duties, other duties, tolls and taxes.

§ 202.6 *Saving clause.* The Director may waive, withdraw, or amend at any time or from time to time any or all of the provisions of the regulations in this part.

Effective date. The regulations in this part shall become effective as of August 1, 1953, and shall supersede as of their effective date Part 97, Subchapter A, Chapter I, Title 22 of the Code of Federal Regulations.

HAROLD E. STASSEN,
Director,
Foreign Operations Administration.

[F. R. Doc. 53-7775; Filed, Sept. 4, 1953; 8:47 a. m.]

PART 203—REGISTRATION OF AGENCIES FOR VOLUNTARY FOREIGN AID

AUGUST 31, 1953.

Sec.
203.1 A register of voluntary foreign aid agencies and of their activities.
203.2 Application for registration.
203.3 Requirements for registration.
203.4 Validation of registration.
203.5 Amendments to registration.
203.6 Validation of programs and projects.
203.7 Representation of registrants.
203.8 Acceptance and termination of registration.
203.9 Saving clause.

AUTHORITY: §§ 203.1 to 203.9 issued under sec. 104, 62 Stat. 138, as amended; 22 U. S. C. Sup. 1503.

§ 203.1 *A register of voluntary foreign aid agencies and of their activities.* To foster the public interest in the field of voluntary foreign aid and the activities of nongovernmental organizations which serve the public interest therein, the Advisory Committee on Voluntary Foreign Aid of the Foreign Operations Administration (referred to in this part as the Committee) is hereby authorized and directed to establish and to maintain, pursuant to the rules set forth in this part, a register of such nongovernmental organizations qualified for and voluntarily accepting registration; such register (a) to serve as a repository of information, including currently recording therein the organization, purposes, programs, finances and other pertinent activities of the registrants for public guidance; (b) to enable the Committee to facilitate the programs and projects of the registrants through the exercise of its good offices and the provision of facilities authorized by the laws, regulations and procedures related to voluntary foreign aid as administered by the Committee, other United States agencies, or by international governmental agencies supported by the United States; and (c) to provide information and advice, and perform such other functions, as may be necessary in furtherance of the purposes of this section.

§ 203.2 *Application for registration.* Any person or nongovernmental organization or agency carrying on any nonprofit activities in the United States for the purpose of furthering or engaging in voluntary aid in areas outside the United States, including, but not limited to, projects and services of relief, rehabilitation, reconstruction and welfare in the fields of health, education, agriculture and industry, emigration and resettlement, may voluntarily make application for registration to the Chairman, Advisory Committee on Voluntary Foreign Aid, Foreign Operations Administration, Washington 25, D. C. Any person, organization, or agency whose application for registration is accepted under this part shall be referred to in this part as a registrant.

§ 203.3 *Requirements for registration.* To establish that the primary purpose to be served is the provision of voluntary foreign aid, an applicant for registration shall submit evidence by its charter, articles of incorporation, constitution, by-laws, and other relevant documents, and a statement upon forms to be provided by the Committee or otherwise as may be required that:

(a) It maintains its principal place of business in the United States;

(b) It is controlled by an active and responsible body composed principally of United States citizens, who serve without compensation, who have accepted the responsibility to carry out the activities of the agency to be reported to the Committee, and who will exercise satisfactory controls to assure that its services and resources are administered competently in the public interest;

(c) It has been authorized by the Bureau of Internal Revenue to inform donors that their contributions may be deducted for Federal income tax purposes;

(d) It is not engaged, or will not be engaged, in any activities or enterprises inconsistent with the fulfillment of the purposes and objectives as set forth in the application, or which may be recorded in the registration, or in any programs or projects thereunder;

(e) The funds and resources of the registrant, will be obtained, expanded and distributed in ways which conform to accepted ethical standards without unreasonable cost for promotion, publicity, fund raising and administration at home and abroad;

(f) The Committee will be informed of any plans, including projected publicity, for popular drives for funds or other forms of support to permit the Committee to offer suggestions and where appropriate to lend its good offices. Such popular drives will be timed, insofar as practicable, to avoid conflict with national appeals for public support during the limited periods of the countrywide campaigns of the American National Red Cross, the Community Chests, Savings Bond drives of the United States Treasury, or similar campaigns of accepted general national interest;

(g) It will refer to the Committee for appropriate consideration any proposed programs, procedures or agreements affecting other Federal agencies or international governmental agencies but which also affect the action responsibilities of the Committee before formal steps are concluded with such agencies, and in order that the Committee may lend its good offices and that coordination may be assured pursuant to the President's Directive of May 14, 1946;

(h) Such current and periodic reports and information will be provided as the Committee may require from time to time pertaining to the registrant's organization, programs, projects, and finances, including audits by a certified public accountant, or other pertinent activities. All records pertaining to responsibilities as a registrant and related to activities as such shall be made available for official inspection. Information on registration, organization, periodic reports on programs and finances shall be available for public inspection.

§ 203.4 *Validation of registration.* Certificates of registration will be issued by the Committee to applicants which fulfill the requirements set forth in § 203.3 and upon the finding of the Committee that the general purposes to be served are of a character and fulfill a need that justify appeals for voluntary support, warrant the cooperation of the United States Government, and otherwise are deemed to serve the public interest. Such certificates may be withheld, in the discretion of the Committee, until an initial program has been recorded under the terms set forth in § 203.6. Certificates will be published in the FEDERAL REGISTER.

§ 203.5 *Amendments to registration.* A registrant's certificate of registration shall be amended whenever a material change is made in the registrant's organization, its purposes or governing personnel. The application for amendment shall be supported by a resolution of the controlling body or other evidence certified by an authorized official. Amended certificates will be published in the FEDERAL REGISTER.

§ 203.6 *Validation of programs and projects.* (a) Registrants, to carry out and fulfill the purposes and objectives of their organization and to obtain appropriate official United States support and facilities, will submit applications upon forms provided by the Committee or otherwise as may be required, for the recording of specific country programs or specific projects of relief, rehabilitation, reconstruction and welfare as these are developed in the fields of health, education, agriculture, industry, emigration and resettlement. Notices of acceptance will be issued by the Committee as supplements to certificates of registration: *Provided,* That:

(1) The specific program or specific project is within the scope of any agreement that has been concluded between the United States Government and the government of the country of interest in furtherance of the operations of registrants acceptable to such governments;

(2) In the absence of such an agreement as set forth in subparagraph (1) of this paragraph satisfactory assurances are:

(i) Obtained from the government of the country in question that appropriate facilities are or will be afforded for the necessary and economical operations of the program or project including (*a*) acceptance of the specific program or specific project; (*b*) the supplies approved in support of the program or project are free of customs duties, other duties, tolls, and taxes; (*c*) treatment of supplies as a supplementary resource and not as a substitute for public rations; (*d*) the identification of the supplies, to the extent practicable, as to their United States origin and their free provision by the donor agency; and (*e*) insofar as practicable the reception, unloading, warehousing and transport of the supplies free of cost to points of distribution.

(ii) Provided by the registrant that (*a*) shipments will be made only to consignees reported to the Committee and full responsibility is assumed by such consignees for the noncommercial distribution of the supplies free of cost to the persons ultimately receiving them; and (*b*) distribution is under the supervision of United States citizens specifically charged with the responsibility for the program or project, or by nationals, upon notification to the Committee in justification of their selection on account of the character and economy of the operation, and the degree of cooperation and acceptance of responsibility of the indigenous agency.

(b) Programs and projects which involve the contractual support of United States or international governmental agencies and acceptance of measures of responsibility by the Committee will be recorded following an understanding between the Committee and the contracting official agency to assure correlation in the attainment of common objectives, and pursuant to the President's Directive of May 14, 1946.

§ 203.7 *Representation of registrants.* The Committee, in appropriate cases, may exercise its good offices or recommend to and appear before United States agencies or international agencies supported by the United States Government, to facilitate the recorded programs of any registrants or committees of such registrants, and to further the provision of facilities authorized by laws, regulations, and procedures in support of voluntary foreign aid.

§ 203.8 *Acceptance and termination of registration.* (a) Registrations shall remain in force until relinquished voluntarily by the registrant upon written notice to the Committee or formal notice from the Committee is published in the FEDERAL REGISTER stating that they are:

(1) Amended in accordance with § 203.5; or

(2) Suspended or terminated.

(b) Acceptance of a notice of relinquishment of registration shall be subject to submittal of final reports to the Committee, including the plans for disposition of the registrant's residual assets acquired in support of its registered programs.

§ 203.9 *Saving clause.* The Director of the Foreign Operations Administration may waive, withdraw, or amend from time to time any or all of the provisions of the regulations in this part.

Effective date. The regulations in this part shall become effective as of August 1, 1953, and shall supersede as of their effective date Part 98, Subchapter A, Chapter I, Title 22 of the Code of Federal Regulations.

Certificates to registration and amendments thereto heretofore issued by the Advisory Committee on Voluntary Foreign Aid, and which are valid as of the effective date of the regulations in this part, shall continue in force and effect.

HAROLD E. STASSEN,
Director,
Foreign Operations Administration.

[F. R. Doc. 53-7776; Filed, Sept. 4, 1953; 8:47 a. m]

TITLE 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

Subchapter B—Aircraft

PART 822—USE OF AIR FORCE INSTALLATIONS BY OTHER THAN AIR FORCE AIRCRAFT

REVISION

Regulations contained in Parts 822 and 823 (32 CFR 822, 823) are hereby revoked, and the following new Part 822 is issued in lieu thereof.

Sec.
822.1 Purpose.
822.2 Policy.
822.3 Definitions.
822.4 Diplomatic agreements and clearances (overseas).
822.5 Procedure.
822.6 Applications.
822.7 Insurance.
822.8 Conditions governing use.
822.9 Customs, immigration, and health clearance.
822.10 Agreement and permit.
822.11 Landing and parking fees.
822.12 Supplies and services.
822.13 Forms.

AUTHORITY: §§ 822.1 to 822.13 issued under R. S. 161, sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 22, 171a. Interpret or apply sec. 5, 44 Stat. 570, as amended; 49 U. S. C. 175.

DERIVATION: AFR 87-7.

§ 822.1 *Purpose.* This part fixes responsibility and prescribes procedures for the use of Air Force installations by other than Air Force aircraft.

§ 822.2 *Policy.* (a) Air Force installations are established to support the operation of aircraft of the United States Air Force. Air Force facilities, personnel, and materiel are maintained only to the extent required for use by the Air Force.

(b) Civil aircraft may be permitted to use Air Force installations provided that:

(1) There is no significant interference with Air Force operations.

(2) The security of Air Force operations facilities, or equipment is not compromised.

(3) No adequate civil airport is available.

(c) Aircraft listed in § 822.11 (a) may be permitted to use Air Force installations provided that:

(1) There is no significant interference with Air Force operations.

(2) The security of Air Force operations, facilities, or equipment is not compromised.

(d) Supplies and services may be furnished to other than Air Force aircraft under the provisions of this part.

(e) Air Force installations and facilities will not be made available for the use of civil aircraft in competition with private enterprise.

(f) Nothing in this part will be construed to prohibit any aircraft from landing at any Air Force installation in case of emergency.

(g) Exceptions to this part will be made only by the Chief of Staff, USAF.

§ 822.3 *Definitions*—(a) *Installation.* A separately located and defined area of real property in which the Air Force exercises a real property interest and which has been designated as an Air Force installation by Headquarters USAF; or where the Air Force has jurisdiction over real property by agreement, expressed or implied, with foreign governments, or by rights of occupation.

(b) *Air navigation facilities.* Any airport, emergency landing area, light or other signal structure, radio directional finding facility or other communication facility, and any other structure or facility used as an aid to air navigation.

(c) *Airport.* Any area of land or water which is used, or intended to be used, for the landing and takeoff of aircraft and which provides facilities for their shelter, supply, and repair; a place

used regularly for receiving or discharging passengers or cargo by air.

(d) *Civil airport.* A nonmilitary airport, the operation of which is not under exclusive operational control of the Air Force.

(e) *Regular airport.* An airport used as a regularly scheduled stop by certified air carriers.

(f) *Provisional airport.* An airport approved for the purpose of providing adequate service to a community when the regular airport serving that community is not available for an extended period, because of repair, construction, or the performance of other work. (Planes may be dispatched.)

(g) *Alternate airport.* An airport, specified in the flight plan, to which an aircraft may proceed when a landing at the point of first intended landing becomes impractical. (Planes may not be dispatched.)

(h) *Civil aircraft.* Aircraft (domestic or foreign) operated by private individuals or corporations of any national registry, including foreign government-owned commercial aircraft, in other than military or governmental operations.

(i) *Foreign aircraft.* Civil aircraft owned by a foreign national or a foreign corporation and registered with a foreign nation.

(j) *Military aircraft.* Aircraft operated by the military agencies of any government.

(k) *Contract carrier.* Civil aircraft, the operations of which are controlled under terms of a contract administered by any Department of the United States Government.

(l) *Charter carrier.* (Single or multiple-trip charter carrier.) Civil aircraft operating under contract to the Air Force but not under operational control of the Air Force.

(m) *Production aircraft.* Aircraft produced by private corporations or individuals under contract to the United States Government.

(n) *Government aircraft.* Aircraft owned or operated by any government, as distinguished from commercial or private aircraft.

(o) *AF Form 180, "Hold Harmless Agreement".* An instrument designed to relieve the United States Government from liabilities and claims for damages arising out of the use of Air Force installations by civil aircraft.

(p) *AF Form 181, "Aircraft Permit".* An instrument issued subsequent to the execution of AF Form 180, authorizing the use of an Air Force installation without conveyance of interest in real property.

(q) *Exclusive use.* The term refers to an installation, or portions thereof, over which the Air Force has complete jurisdiction and operational control.

§ 822.4 *Diplomatic agreements and clearances (overseas).* (a) The provisions of this part are subject to the provisions of diplomatic agreements or service-to-service arrangements. In case of a conflict these agreements and arrangements will govern. This part will be used as a guide in negotiating technical agreements, at the local level, with representatives of a foreign military service concerning the use of Air Force installations by other than Air Force aircraft. Approval will be obtained from Headquarters USAF for proposed terms which are in conflict with this part.

(b) Operators of civil aircraft will obtain approval for each flight from the government exercising sovereignty over any territory on the route to the Air Force installation including the territory in which the installation is located. Concurrence of the United States Department of State, or the appropriate United States diplomatic representative in the country or countries concerned will be obtained by the operator before requests to use Air Force installations are approved.

§ 822.5 *Procedure*—(a) *Headquarters USAF.* Except as otherwise provided in this part, requests to use Air Force installations, facilities, and services will be submitted to Headquarters USAF for approval. Requests may be submitted to use an Air Force installation as a regular, provisional, or alternate airport. If a request is approved, the applicant will execute AF Form 180 before AF Form 181 will be issued to him. When requests are made to commanders of Air Force installations no commitments will be made and the requests will be forwarded through channels, with comments and recommendations, to the Director of Installations, Headquarters USAF, Washington 25, D. C.

(b) *Oversea installations.* (1) Major air commands having jurisdiction over Air Force installations in any foreign country may approve requests from operators of civil aircraft for use of these installations for one-time landings only. Permission for extended use will be governed by paragraph (a) of this section.

(2) Air attaches may issue permits (AF Form 181) to the operators of civil aircraft for one-time landings at oversea installations, upon presentation of a current AF Form 180, or a certified photostatic copy thereof. Upon issuance of a permit, the air attache will notify the base commander of the details of the proposed flight and send an information copy of the notification to the appropriate Air Force command and Headquarters USAF.

(c) *Active installations.* Commanders of active Air Force installations:

(1) May permit one-time landings by those aircraft listed in § 822.11 (a) (1), (2), (3), (4), (5), and (6), approve AF Form 180, and execute AF Form 181 without reference to higher authority, provided that these aircraft are not hangared or based at the installation.

(2) May issue permits to operators of civil aircraft for one-time landings upon presentations of an executed current AF Form 180 or a certified or photostatic copy thereof. Copies of AF Forms 180 and 181 will be retained at the installation.

(3) Will maintain at the installation appropriate records which will not be transmitted to Headquarters USAF.

(d) *Inactive installations.* Requests to use inactive Air Force installations will be submitted to Headquarters USAF.

(e) *Concurrent use.* Concurrent use of an installation by commercial aircraft or other flying interests will be governed by this part except as otherwise specified in the instrument by which the Government acquired the installation for Air Force use.

(f) *Provisional airport.* Requests to use an Air Force installation as a provisional airport, with complete justification for such use, will be submitted to Headquarters USAF for approval.

(g) *Alternate airports.* Requests to designate Air Force installations as alternate airports will be submitted to Headquarters USAF. The approval for alternate designation will be subject to the following provisions:

(1) An aircraft may not be dispatched to an alternate airport in advance of takeoff from a previous point of departure. If conditions warrant use of an alternate airport after takeoff, radio clearance will be obtained from the installation as soon as a decision is made to use it as the alternate airport. The installation will be notified immediately of the estimated time of arrival.

(2) If passengers and/or cargo are to be discharged at the alternate airport, prior authority will be obtained from the commander of the installation and a flight plan filed with him prior to departure.

(3) Emergency landings may be made without prior clearance. The pilot will submit a written report to the commander describing the emergency conditions and explaining why clearance could not be obtained in advance.

(4) Pilots of aircraft that may land at alternate airports will be instructed as to the communication facilities, procedures, and the traffic regulations at the alternate airport.

(h) *Aircraft of foreign registry.* (1) Requests will be submitted to Headquarters USAF when foreign civil aircraft desire to use Air Force installations within the continental United States. Except when otherwise permitted by Headquarters USAF, AF Forms 180 and 181 will be executed prior to takeoff.

(2) Headquarters USAF, may permit foreign-government aircraft, if not used for commercial purposes, to use Air Force installations within the continental United States. If appropriate, United States Department of State clearance will be obtained. AF Forms 180 and 181 are not required.

(i) *Production aircraft.* Aircraft being produced for the Air Force under contract may be permitted to use Air Force installations for testing and experimental purposes as provided in the contract.

(j) *Use of ground-controlled approach equipment.* Air Force ground-controlled approach equipment may be used for training commercial operators subject to the following conditions.

(1) Major air commands may take final action on applications. In general, training programs will be permitted only at installations at which the major activity is similar to commercial carrier operations.

(2) Schedules and other details of training programs will be subject to the

control of the commander of the installation.

(3) Servicing commercial aircraft, extended layovers, or use for other than approved training will not be permitted.

(k) *Contract and charter carriers.* These aircraft may be permitted to use Air Force installations when identified by certificate issued by the contracting agency, subject to the following conditions.

(1) When a contract is executed on behalf of the United States Government with a contract carrier for an airlift of cargo or passengers, the office negotiating the contract will request the Director of Installations, Headquarters USAF, to issue the necessary authorization for landings at Air Force installations under the provisions of this part. Landing fees will not be charged.

(2) When the services of a charter carrier are utilized by the United States Government, the office issuing the charter will request the Director of Installations, Headquarters USAF, to issue the necessary authorization for landing at Air Force installations under the provisions of this part. Landing fees will not be charged.

(3) Petroleum products may be furnished to contract and charter carriers in accordance with current directives.

§ 822.6 *Applications.* Requests for the use of Air Force facilities may be made, in letter form (original and two copies), either to the commander of the installation or direct to the Director of Installations, Headquarters USAF, Washington 25, D. C. Applications for the use of oversea installations may be made either to the appropriate United States diplomatic representative or to the commander of the installation. Each application will be accompanied by AF Forms 180 and 181 in quadruplicate executed by the applicant. One copy of each application and the executed AF Forms 180 and 181 will be retained by the base commander. One copy of AF Form 181 will be carried on the aircraft. Each application will contain information, including that set forth on AF Form 181, as follows:

(a) Name and location of Air Force installation and facilities to be used.

(b) Type of operation (tourist, survey, charter, revenue, nonrevenue, or other) and whether the facility is to be used as a regular, provisional, or alternate airport.

(c) Details of proposed flights including: dates, purpose, route to be followed.

(d) Number and frequency of proposed flights.

(e) Name and address of financial sponsor of flight.

(f) Name and address of registered owner of aircraft.

(g) Country in which aircraft is registered. Name of manufacturer of aircraft, type, model, serial number, registry number, and identification mark.

(h) Date of each CAA aircraft airworthiness certificate, basic maximum passenger capacity and basic maximum takeoff gross weight permitted by the appropriate aeronautical authority of the country of manufacture (kilos or pounds).

(i) Authorized supplier (applicable to oversea bases only). In order to avoid cash payments for the purchase of petroleum products from the Air Force, the applicant will designate a commercial petroleum company regularly conducting business in the United States or Territories as his "authorized supplier". An authorized supplier is a commercial petroleum company that has executed an agreement to guarantee payment for all petroleum products furnished the applicant. Three executed copies of this agreement will be submitted with the application. The office approving the application will retain one copy and transmit one copy to Headquarters USAF and one copy to Headquarters, Middletown Air Materiel Area, Olmsted Air Force Base, Middletown, Pennsylvania.

(j) Name of individual or company representative authorized to sign the attached agreement (AF Form 180) and permit (AF Form 181).

(k) List of civil airports in the area which the applicant might use and justification for use of the Air Force installation.

(l) Type and number of any operating authorization issued to the applicant by the Civil Aeronautics Board.

(m) A signed statement or verified copy from the company with which insurance is carried, attesting that the applicant is covered by aviation insurance in the amounts specified in this part and that the policy conforms to the requirements of this part.

(n) If an applicant desires, in conjunction with this section, to lease real estate and/or real property facilities, a separate request will be made and the following information will be furnished:

(1) A description and layout map of the area desired by the applicant showing space required for the erection or use of buildings, installation of gasoline storage and servicing pits, parking aircraft, and any other maintenance and operating facilities.

(2) A plan or diagram of space in an exsting building desired for office space, ticket sales, and so forth.

(3) The application will be processed for approval, and use granted, in accordance with the provisions of current directives.

§ 822.7 *Insurance.* All aircraft owners or operators using Air Force installations, except those listed in § 822.11 (a) (1), (2), and (3), will be required to keep in force, at their own cost and expense, aircraft liability insurance as follows:

(a) Aircraft used for cargo carrying only, and aircraft being ferried, will be insured for:

(1) Public bodily injury liability with a minimum limit of $50,000 for one person in any one accident, and subject to that limit for each person, a minimum of $500,000 in any one accident;

(2) Public property damage liability with a minimum limit of $500,000 for each accident.

(b) Aircraft used for both cargo and passenger carrying or for passenger carrying only, in addition to the amounts required in paragraph (a) of this section, will be insured for passenger bodily injury liability with a minimum limit of $50,000 for each passenger and, subject to that limit for each passenger, a minimum limit for each accident in any one aircraft equal to the total amount produced by multiplying the $50,000 limit stipulated for each passenger by a full number not less than 75 percent of the total number of seats in the aircraft or 75 percent of the total number of passengers carried, whichever is greater.

(c) Privately owned noncommercial operated aircraft, will be insured as required by paragraphs (a) and (b) of this section, except that for aircraft of less than 12,500 pounds certified maximum gross takeoff weight, the minimum limit for:

(1) Public bodily injury liability will be $200,000.

(2) Public property damage liability will be at least $150,000 for each accident.

(3) Passenger bodily injury liability for each accident, in any one such aircraft, minimum amount equal to the total produced by multiplying the $50,000 limit for each person by the number of persons on board.

(d) All policies will provide specifically, by indorsement or otherwise:

(1) Waiver of any right of subrogation the insurance company may have against the United States by reason of any payment under the policy on account of damage or injury in connection with the insured's use of any Air Force installation or the insured's purchase of services or supplies from the Air Force.

(2) That the provisions thereof will be in full force and effect within the country or countries in which the Air Force bases, to be used by the insured, are located.

(e) Insurance policies will be carried with an insurance company or companies duly authorized by law to write the required insurance coverage.

(f) Proof of qualification as a self-insurer may be submitted for approval instead of the policies described in this section.

§ 822.8 *Conditions governing use.* The use of Air Force installations by other than Air Force aircraft will be subject to the following conditions:

(a) Such use will not interfere with military requirement.

(b) No adequate civil airport is available. Exception to this provision may be made when the aircraft is operated under Government contract or charter.

(c) Operators will comply with the regulations promulgated by Headquarters USAF or the commander of the installation.

(d) Each operator will carry AF Form 181 and will present it to the appropriate Air Force official upon landing.

(e) Priority for use of air navigation facilities will be determined by the commander of the installation. If civil traffic causes interference with military operation at the installation a report will be made through channels to the Director of Installations, Headquarters USAF.

(f) The use of Air Force installations by operators of other than Air Force aircraft will be at the risk of the operators.

(g) Any violation of this part will be made the subject of a report through official channels to the Director of Installations, Headquarters USAF.

§ 822.9 *Customs, immigration, and health clearance.* Commanders of Air Force installations will cooperate with local customs, immigration, public health, and other public authorities in connection with the arrival and departure of aircraft. The aircraft commander will comply with laws and regulations administered by these public authorities. Clearances for takeoff will not be issued until the requirements of applicable laws and regulations issued by these authorities have been met. Procedures mutually acceptable to the installation commander and local officials will be made standard procedure at the installation concerned. Fees, charges for overtime services, and other costs, arising out of the administration of the laws relating to health, customs, and immigration are the obligation of the operator of the aircraft.

§ 822.10 *Agreement and permit*—(a) *AF Form 180, "Hold Harmless Agreement."* (1) Operators of civil aircraft will be required to execute AF Form 180, "Hold Harmless Agreement," in quadruplicate, prior to using an Air Force installation.

(2) If an operator lands without authorization, the commander of the installation will obtain an executed AF Form 180 from the operator. The original will be transmitted to the Director of Installations, Headquarters USAF; two copies will be given to the operator and one copy retained by the commander.

(b) *AF Form 181, "Aircraft Permit".* (1) AF Form 181 is executed in quadruplicate and issued only after completion of AF Form 180.

(2) Each operator of a civil aircraft or a Government-owned commercial aircraft using an Air Force installation will insure that an executed AF Form 181 or a certified or photostatic copy thereof is carried at all times in the custody of the commander of the aircraft. This permit will be presented to the appropriate base official upon arrival of the aircraft.

(3) If an operator lands without authorization, the commander of the installation will obtain AF Form 181 signed by the operator. The commander is authorized to execute this form on behalf of the Air Force. In this case a statement will be incorporated in the form setting forth the circumstances requiring a landing without authorization. The original will be transmitted to the Director of Installations, Headquarters, USAF.

(4) When the Air Force does not have exclusive control of the landing area, permission to land will be obtained from the appropriate civilian authority. In such cases AF Forms 180 and 181 are not required.

(c) *Retention of forms.* Current executed AF Forms 32, 33, 34, 180, and 181 remain in effect until the date of termination.

§ 822.11 *Landing and parking fees.* (a) Fees as hereinafter enumerated will be charged and collected by the commander of the installation for all aircraft except the following:

(1) Military aircraft of the United States or foreign governments.

(2) Aircraft (noncommercial) owned and operated by agencies of the Federal Government or foreign governments, except in those cases where foreign governments charge such fees for use by United States Government aircraft. (See § 822.4.)

(3) Aircraft (noncommercial) owned and operated by States, counties, or municipalities of the United States.

(4) Aircraft owned and operated by military and auxiliary personnel (Civil Air Patrol, Reserve Forces, Air National Guard, Air Force Reserve Officers' Training Corps) on active duty if such aircraft are not used for commercial purposes.

(5) Contract carriers and charter carriers as defined in § 822.3 (k) and (l).

(6) Private or executive aircraft operated in connection with official business related to Government activities in the immediate vicinity of the installation.

(7) Aircraft used for training operators in the use of ground controlled approach equipment.

(b) Landing fees and parking fees are based upon aircraft weights and frequency of operations. The weight to be used in calculating fees is the maximum gross takeoff weight authorized, by the appropriate government authority, for the aircraft at the installation involved. The maximum gross takeoff weights will be obtained from the gross weight takeoff tables approved by the CAA which are shown in the current aircraft operators' manual and on the air worthiness certificate issued by CAA. If this weight data is not available, an estimate of the maximum gross weight based upon the best information available may be used to determine the fees. Calculation of fees will be based on weights computed to the nearest one thousand pounds, considering five hundred pounds and above to increase the weight to the next higher one thousand pound bracket.

(c) Except as provided in paragraph (a) of this section, the following fees will be charged at active and inactive Air Force installations.

(1) *Landing fees within continental United States.*

First 90 landings per month per individual user

	Amount per landing
Up to and including 25,000 pounds	$2.50.
Over 25,000 pounds	$2.50 plus 3⅓ cents per 1,000 pounds in excess of 25,000 pounds.

Next 90 landings per month per individual user

	Amount per landing
Up to and including 25,000 pounds	$1.66⅔.
Over 25,000 pounds	$1.66⅔ plus 3⅓ cents per 1,000 pounds in excess of 25,000 pounds.

All landings in excess of 180 per month per individual user

	Amount per landing
Up to and including 25,000 pounds	$0.83⅓.
Over 25,000 pounds	$0.83⅓ plus 3⅓ cents per 1,000 pounds in excess of 25,000 pounds.

(2) *Landing fees outside continental United States.* Fees will be charged at the same rates and on the same basis as landing fees are computed at the nearest suitable civil airport within the geographical limits of the same country, or at the rates set forth below, whichever is the greater.

First 90 landings per month per individual user

	Amount per landing
10,000 pounds or less	$3.00.
10,001 pounds to 25,000	$5.00.
Over 25,000 pounds	$5.00 plus 15 cents per 1,000 pounds in excess of 25,000 pounds.

Next 90 landings per month per individual user

	Amount per landing
Up to and including 25,000 pounds	$4.00.
Over 25,000 pounds	$4.00 plus 12 cents per 1,000 pounds in excess of 25,000 pounds.

All landings in excess of 180 per month per individual user

	Amount per landing
Up to and including 25,000 pounds	$3.00.
Over 25,000 pounds	$3.00 plus 10 cents per 1,000 pounds in excess of 25,000 pounds.

(3) *Hangar parking fees.* Twenty cents per thousand pounds, minimum $3 per aircraft, for each 24-hour period or fraction thereof when parking is on an emergency, temporary, or intermittent and nonexclusive basis.

(4) *Outside parking fees.* Ten cents per thousand pounds, minimum $1 per aircraft for each 24-hour period or fraction thereof; the charge to start six hours after the plane lands.

(5) *Free storage.* The free storage of airplanes owned and operated, not for profit, by military personnel on active duty may be permitted when facilities are available and storage can be accomplished without interference with military operations.

(6) *Fees for protracted use.* Fees for protracted use by lease of real property, building space, and so forth will be as determined by negotiation under the provisions of current directives.

§ 822.12 *Supplies and services.* (a) Commanders of Air Force installations may sell supplies and services:

(1) To the operator of civil aircraft providing services to the United States Government, for cash in the Zone of Interior and for cash or credit overseas.

(2) To the operators of aircraft (unless used for commercial purposes) owned or operated by agencies of the United States Government, States, Territories, or foreign governments, for cash in the Zone of Interior and for cash or credit overseas.

(3) In an emergency, to the operators of any civil aircraft for cash. Emergency services and supplies will be furnished only to the extent required for the aircraft to reach the nearest commercial airport.

(b) Commanders will establish rates to be charged for services furnished at Air Force installations in accordance with current directives. These rates will not be lower than local rates for similar services.

(c) Petroleum products will be sold in accordance with current directives.

(d) Emergency supplies will be sold at the local fair market price or at a price computed as follows, whichever is higher:

(1) Determine basic cost including cost of transportation to the installation.

(2) Add 15 percent of subparagraph (1) of this paragraph for handling charges.

(3) Add 3 percent of total of subparagraphs (1) and (2) of this paragraph for administrative charges. Subject to the provisions of this Part the sale of supplies overseas will be in accordance with current directives.

(e) Engines may be loaned or sold at overseas installations in accordance with current directives.

(f) Aircraft damaged to such an extent that major repairs are required may be stored temporarily in damaged condition at the rates established in § 822.11. The commander will assume no responsibility for the aircraft and the operator will be required to remove the aircraft from the installation as soon as possible.

(g) Emergency medical services may be furnished. Charges will be made in accordance with current directives.

(h) A record of sales of supplies and services will be maintained at each installation.

§ 822.13 *Forms.* Forms may be obtained by writing to the Director of Installations, Headquarters, United States Air Force, Attention: Real Estate Division, Washington 25, D. C.

[SEAL] K. E. THIEBAUD,
Colonel, U. S. Air Force,
Air Adjutant General.

[F. R. Doc. 53-7771; Filed, Sept. 4, 1953; 8:47 a. m.]

PART 823—USE OF UNITED STATES AIR FORCE BASES OVERSEAS BY CIVIL AIRCRAFT (DOMESTIC OR FOREIGN)

REVOCATION

CROSS REFERENCE: For revocation of this part, see Part 822 of this chapter, *supra.*

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicles

[Ex Parte MC-43]

PART 207—LEASE AND INTERCHANGE OF VEHICLES

RENTAL OF EQUIPMENT TO PRIVATE CARRIERS AND SHIPPERS; POSTPONEMENT OF EFFECTIVE DATE

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., this 31st day of August A. D. 1953.

The matter of rules and regulations governing the lease and interchange of vehicles by motor carriers prescribed by order dated May 8, 1951, being under consideration; and

It appearing, that the said rules and regulations have not yet been made effective; and

It further appearing, that P. Ballantine and Sons, and Manufacturers Express, Inc., have filed a petition dated August 10, 1953, requesting that the effective date of § 207.6 (b) be postponed for a period of one year, only insofar as it is applicable to them, and good cause appearing therefor:

It is ordered, That the effective date, September 1, 1953, of § 207.6 (b) be, and it is hereby postponed to July 1, 1954, only insofar as it is applicable in connection with the outstanding lease of equipment agreement between Manufacturers Express, Inc., and P. Ballantine and Sons.

Notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing a copy with the Director, Division of the Federal Register.

(49 Stat. 546, as amended; 49 U. S. C. 304)

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-7764; Filed, Sept. 4, 1953; 8:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Parts 19, 29]

CERTAIN NONDISTRIBUTABLE INCOME EXCLUDED IN COMPUTING SPECIAL SURTAX ON PERSONAL HOLDING COMPANIES

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. Prior to the final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in duplicate to the Commissioner of Internal Revenue, Washington 25, D. C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in sections 62 and 3791 of the Internal Revenue Code (53 Stat. 32, 467; 26 U. S. C. 62, 3791).

[SEAL] T. COLEMAN ANDREWS,
Commissioner of Internal Revenue.

In order to conform Regulations 103 (26 CFR Part 19) and Regulations 111 (26 CFR Part 29) to section 349 of the Revenue Act of 1951, approved October 20, 1951, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 19.504-1 the following:

SEC. 349. NONDISTRIBUTABLE INCOME OF PERSONAL HOLDING COMPANIES. (REVENUE ACT OF 1951, APPROVED OCTOBER 20, 1951.)

Effective for taxable years beginning after December 31, 1939, section 504 is hereby amended by adding at the end thereof the following new subsection:

(e) The amount by which the undistributed subchapter A net income determined without reference to this subsection exceeds the amount which could be distributed on the last day of the taxable year as a dividend (1) without violating any action, regulation, rule, order, or proclamation taken, promulgated, made, or issued by, or pursuant to the direction of, the President or any agency that he may designate, under the Trading With the Enemy Act of October 16, 1917, as amended, or the First War Powers Act of 1941, and (2) not subject to a lien in favor of the United States.

PAR. 2. Section 19.504-1, as amended by Treasury Decision 5228, approved February 13, 1943, is further amended as follows:

(A) By deleting in the first sentence thereof the word "and" which immediately precedes "(d)".

(B) By striking out the period at the end of the first sentence and inserting in lieu thereof a comma and the following: "and (e), for taxable years beginning after December 31, 1939, the amount by which the undistributed subchapter A net income (determined without reference to this provision) exceeds the

amount which could be distributed on the last day of the taxable year as a dividend (1) without violating any action, regulation, rule, order, or proclamation taken, promulgated, made, or issued by, or pursuant to the direction of, the President or any agency that he may designate, under the Trading With the Enemy Act, 40 Stat. 411, as amended (50 U. S. C. App. 1 et seq.), or the First War Powers Act, 1941, 55 Stat. 838 (50 U. S. C. App. 601 et seq.), and (2) not subject to a lien in favor of the United States."

PAR. 3. There is inserted immediately preceding § 29.504–1 the following:

SEC. 349. NONDISTRIBUTABLE INCOME OF PERSONAL HOLDING COMPANIES (REVENUE ACT OF 1951, APPROVED OCTOBER 20, 1951).

Effective for taxable years beginning after December 31, 1939, section 504 is hereby amended by adding at the end thereof the following new subsection:

(e) The amount by which the undistributed subchapter A net income determined without reference to this subsection exceeds the amount which could be distributed on the last day of the taxable year as a dividend (1) without violating any action, regulation, rule, order, or proclamation taken, promulgated, made, or issued by, or pursuant to the direction of, the President or any agency that he may designate, under the Trading With the Enemy Act of October 16, 1917, as amended, or the First War Powers Act of 1941, and (2) not subject to a lien in favor of the United States.

PAR. 4. Section 29.504–1 is amended as follows:

(A) By deleting in the first sentence thereof the word "and" which immediately precedes "(d)".

(B) By striking out the period at the end of the first sentence and inserting in lieu thereof a comma and the following: "and (e) the amount by which the undistributed subchapter A net income (determined without reference to this provision) exceeds the amount which could be distributed on the last day of the taxable year as a dividend (1) without violating any action, regulation, rule, order, or proclamation taken, promulgated, made, or issued by, or pursuant to the direction of, the President or any agency that he may designate, under the Trading With the Enemy Act, 40 Stat. 411, as amended (50 U. S. C. App. 1 et seq.), or the First War Powers Act, 1941, 55 Stat. 838 (50 U. S. C. App. 601 et seq.), and (2) not subject to a lien in favor of the United States."

[F. R. Doc. 53–7777; Filed, Sept. 4, 1953; 8:48 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 52]

U. S. STANDARDS FOR GRADES OF PEELED WHITE POTATOES [1]

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the United States Department of Agriculture is considering the issuance, as herein proposed, of United States Standards for Grades of Peeled White Potatoes, pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621, et seq.), and the Department of Agriculture Appropriation Act, 1954 (Pub. Law 156; 83d Cong., approved July 28, 1953). These standards, if made effective, will be the first issue by the Department of grade standards for this product.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed standards should file same, in duplicate, with the Chief, Processed Products Standardization and Inspection Division, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., not later than 30 days after publication hereof in the FEDERAL REGISTER.

The proposed standard is as follows:

§ 52.586 *Peeled white potatoes.* "Peeled white potatoes" are prepared from the clean, sound, fresh tuber of the potato plant by washing, peeling, trimming, sorting, and by proper treatment to prevent discoloration, properly packed in suitable containers, securely closed to maintain the product in a sanitary condition and stored at temperatures necessary for the preservation of the product.

(a) *Styles of peeled white potatoes.* (1) "Whole" or "whole potatoes" means peeled white potatoes consisting of whole potatoes that retain the approximate original conformation of the whole potato.

(2) "Slices," "sliced," or "sliced potatoes" means peeled white potatoes consisting of potato slices of practically uniform thickness.

(3) "Dice," "diced," or "diced potatoes" means peeled white potatoes consisting of cubed potatoes having edges, other than the rounded outer edges, measuring approximately ½ inch or less.

(4) "Julienne," "French style," or "shoestring" means peeled white potatoes consisting of strips of potatoes.

(5) "Pieces" means peeled white potatoes which with respect to size or shape do not conform to any of the foregoing styles.

(b) *Grades of peeled white potatoes.* (1) "U. S. Grade A" or "U. S. Fancy" is the quality of peeled white potatoes that possess similar varietal characteristics; that possess a normal flavor and odor; that are not materially affected by the presence of free starch; that possess a good color; that are practically free from defects; that possess a good texture; that are uniform in size and shape; and that for those factors which are scored in accordance with the scoring system outlined in this standard the total score is not less than 85 points: *Provided,* That the peeled white potatoes may be fairly uniform in size and shape, if the total score is not less than 85 points.

(2) "U. S. Grade C" or "U. S. Standard" is the quality of peeled white potatoes that may or may not possess similar varietal characteristics; that possess a normal flavor and odor; that are not seriously affected by the presence of free starch; that possess a fairly good color; that are fairly free from defects; that possess a fairly good texture; that are fairly uniform in size and shape; and that for those factors which are scored in accordance with the scoring system outlined in this section the total score is not less than 70 points: *Provided,* That the peeled white potatoes may fall below the requirements of fairly uniform in size and shape, if the total score is not less than 70 points.

(3) "Substandard" is the quality of peeled white potatoes that fail to meet the requirements of U. S. Grade C or U. S. Standard.

(c) *Sizes of peeled whole white potatoes.* (1) The size of a round or intermediate shaped whole potato is determined by measuring the largest diameter at right angles to its longitudinal axis.

(2) The sizes of long varieties except for the minimum size of Small (Size 1) potatoes is determined by weighing.

(3) The word and numerical designations of the various sizes of peeled whole white potatoes are shown in Table No. II of this section.

TABLE NO. II

SIZES OF ROUND OR INTERMEDIATE SHAPED VARIETIES OF PEELED WHOLE WHITE POTATOES

Word designation	Number designation	Approximate diameter (inches)	Tolerance for size	
			Undersize (percent by weight)	Oversize (percent by weight)
Small	Size 1	1½ inches to and including 2¼ inches.	3	15
Medium	Size 2	2¼ inches to and including 3 inches.	5	15
Medium to large.[1]	Size 3	2¼ inches to and including 4 inches.	5	15
Large	Size 4	3 inches to and including 4 inches.	5	15

SIZES OF LONG VARIETIES OF PEELED WHOLE WHITE POTATOES

Word designation	Number designation	Diameter (inches) and weight (ounces)	Tolerance for size	
			Undersize (percent by weight)	Oversize (percent by weight)
Small	Size 1	1½ inches (diameter) to and including 4 ounces.	3	15
Medium	Size 2	4 ounces to and including 10 ounces.	5	15
Medium to large.[2]	Size 3	4 ounces to and including 16 ounces.	5 5	15 15
Large	Size 4	10 ounces to and including 16 ounces.	5	15

[1] More than 15 percent, by weight, of all the potatoes range from 3 inches to 4 inches in diameter.

[2] More than 15 percent, by weight, of all the potatoes range from 10 ounces to 16 ounces in weight.

[1] The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

(d) *Sizes of potato slices in sliced white potatoes.* The size of any slice in sliced white potatoes is determined by measuring the smallest diameter of the largest surface of the slice. The designation of the various sizes of slices in sliced white potatoes is shown in Table No. III of this section.

TABLE NO. III—SIZES OF SLICES IN SLICED WHITE POTATOES

Word designation	Smallest diameter in inches	Tolerance for size	
		Undersize (percent by weight)	Oversize (percent by weight)
Small	1½ inches to and including 2¼ inches.	3	15
Medium	2¼ inches to and including 3 inches.	5	15
Medium to large.[1]	2¼ inches to and including 4 inches.	5	15
Large	3 inches to and including 4 inches.	5	15

[1] More than 15 percent, by weight, of all the slices range from 3 to 4 inches in diameter.

(e) *Ascertaining the grade.* (1) The grade of peeled white potatoes may be ascertained by considering, in conjunction with the requirements of the respective grade, the respective ratings for the factors of color, uniformity of size and shape, absence of defects, and texture.

(2) The relative importance of each factor is expressed numerically on the scale of 100. The maximum number of points that may be given each factor is:

Factor:	Points
(i) Color	20
(ii) Uniformity of size and shape	20
(iii) Absence of defects	40
(iv) Texture	20
Total score	100

(3) "Normal flavor and odor" means that the product is free from objectionable flavors and objectionable odors of any kind.

(f) *Ascertaining the rating for each factor.* The essential variations within each factor are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor is inclusive (for example, "17 to 20 points" means 17, 18, 19, or 20 points).

(1) *Color.* (i) Peeled white potatoes that possess a good color may be given a score of 17 to 20 points. "Good color" means that the peeled white potatoes are free from oxidation and possess a practically uniform, light color typical of peeled white potatoes prepared from potatoes of similar varietal characteristics.

(ii) If the peeled white potatoes possess a fairly good color, a score of 14 to 16 points may be given. Peeled white potatoes that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly good color" means that the peeled white potatoes possess a fairly uniform color; the color of the units, individually or collectively, may be variable, dull, slightly oxidized, or otherwise discolored, but not to the extent that the appearance is materially affected.

(iii) Peeled white potatoes that for any reason fail to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

(2) *Uniformity of size and shape.* (i) Peeled white potatoes that are practically uniform in size and shape may be given a score of 17 to 20 points. "Practically uniform in size and shape" has the following meanings with respect to the various styles of peeled white potatoes.

(*a*) *Whole potatoes.* The potatoes may vary moderately in shape, and the diameter of the largest whole potato is not more than 50 percent greater than the diameter of the second smallest potato.

(*b*) *Sliced potatoes.* The individual slice is not more than ¾ inch in thickness when measured at the thickest portion, and the diameter of the largest slice is not more than 50 percent greater than the diameter of the second smallest slice.

(*c*) *Diced potatoes.* The units are practically uniform in size and shape, with edges, other than the rounded outer edges, measuring approximately ½ inch or less, and the aggregate weight of the units which are smaller than one-half of a cube and of all large and irregular units does not exceed 12 percent of the weight of all the units.

(*d*) *Julienne, French style, or shoestring.* The strips of potatoes are practically uniform in size and shape with cross sections measuring approximately ½ inch or less, and the aggregate weight of all strips less than 1 inch in length does not exceed 15 percent of the weight of all the strips.

(*e*) *Pieces.* The individual units weigh not less than ½ ounce nor more than 2 ounces each and the weight of the largest unit is not more than twice the weight of the second smallest unit.

(ii) If the peeled white potatoes are fairly uniform in size and shape, a score of 14 to 16 points may be given. "Fairly uniform in size and shape" has the following meanings with respect to the various styles of peeled white potatoes:

(*a*) *Whole potatoes.* The potatoes may vary considerably in shape, and the diameter of the largest whole potato is not more than twice the diameter of the second smallest potato.

(*b*) *Sliced potatoes.* The individual slice is not more than 1 inch in thickness when measured at the thickest portion, and the diameter of the largest slice is not more than twice the diameter of the second smallest slice.

(*c*) *Diced potatoes.* The units are fairly uniform in size and shape, with edges, other than the rounded outer edges, measuring approximately ½ inch or less, and the aggregate weight of the units which are smaller than one-half of a cube and of all large and irregular units does not exceed 25 percent of the weight of all the units.

(*d*) *Julienne, French style, or shoestring.* The strips of potatoes are fairly uniform in size and shape with cross sections measuring approximately ½ inch or less, and the aggregate weight of all strips less than 1 inch in length does not exceed 25 percent of the weight of all the strips.

(*e*) *Pieces.* The individual units weigh not less than ¼ ounce nor more than 3 ounces each and the weight of the largest unit is not more than four times the weight of the second smallest unit.

(iii) Peeled white potatoes that fail to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 13 points and shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule).

(3) *Absence of defects.* (i) The factor of absence of defects refers to the degree of freedom from extraneous vegetable matter, peel, blemished units, and mechanical damage.

(*a*) "Extraneous vegetable matter" means loose pieces of peel, pieces of grass, fiber, or any portions thereof.

(*b*) "Blemished" means affected by brown or black internal or external discoloration, physiological or pathological injury, discolored eyes, unpeeled eyes, scab, or blemished by other means.

(*c*) "Mechanical damage" means crushed, broken, or cracked units, excessively frayed surfaces and edges, and trimming which alters the normal shape of the unit, or damaged by other means.

(ii) Peeled white potatoes that are practically free from defects may be given a score of 34 to 40 points. "Practically free from defects" means that the aforesaid defects, individually or collectively, do not more than slightly affect the appearance or eating quality of the product. The following allowances provide a guide for scoring the various styles of peeled potatoes which are practically free from defects:

(*a*) *Whole potatoes.* For each 20 ounces, by weight, of units there may be present:

1 piece or pieces of extraneous vegetable matter having an aggregate area of ½ square inch (1" x ½");

10 percent, by weight, of units, or one potato, whichever weighs more, affected by mechanical damage; and

2 percent, by weight, of blemished units, and of such 2 percent, not more than ½ thereof or 1 percent, by weight, of all the units, or 1 unit, whichever weighs more, may be affected by blemished areas which seriously affect the appearance or eating quality of the unit.

(*b*) *Sliced potatoes; pieces.* For each 20 ounces, by weight, of units there may be present:

1 piece or pieces of extraneous vegetable matter having an aggregate area of ½ square inch (1" x ½");

5 percent, by weight, of units affected by mechanical damage; and

1 percent, by weight, of blemished units, and of such 1 percent, not more than ½ thereof or ½ of 1 percent, by weight, of all the units may be affected by blemished areas which seriously affect the appearance or eating quality of the unit.

(*c*) *Diced; Julienne, French style, or shoestring.* For each 20 ounces, by weight, of units there may be present:

1 piece or pieces of extraneous vegetable matter having an aggregate area of ½ square inch (1" x ½");

2 percent, by weight, of units affected by mechanical damage; and

½ of 1 percent, by weight, of blemished units, and of such ½ of 1 percent not more than ¼ thereof or ¼ of 1 percent, by weight, of all the units may be affected by blemished areas which seriously affect the appearance or eating quality of the unit.

(iii) If the peeled white potatoes are fairly free from defects, a score of 28 to 33 points may be given. Peeled white potatoes that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means that the aforesaid defects, individually or collectively, do not seriously affect the appearance or eating quality of the product. The following allowances provide a guide for scoring peeled potatoes which are fairly free from defects:

(a) *Whole potatoes.* For each 20 ounces, by weight, of units there may be present:

1 piece or pieces of extraneous vegetable matter having an aggregate area of 1 square inch (1" x 1");

20 percent, by weight, of units affected by mechanical damage; and

4 percent, by weight, of blemished units, and of such 4 percent not more than ½ thereof or 2 percent, by weight, of all the units may be affected by blemished areas which seriously affect the appearance or eating quality of the unit.

(b) *Sliced potatoes; pieces.* For each 20 ounces, by weight, of units there may be present:

1 piece or pieces of extraneous vegetable matter having an aggregate area of more than ½ square inch but not more than 1 square inch (1" x 1");

10 percent, by weight, of units affected by mechanical damage; and

2 percent, by weight, of blemished units and of such 2 percent not more than ½ thereof or 1 percent, by weight, of all the units may be affected by blemished areas which seriously affect the appearance or eating quality of the unit.

(c) *Diced; Julienne, French style, or shoestring.* For each 20 ounces, by weight, of units there may be present:

1 piece or pieces of extraneous vegetable matter having an aggregate area of more than ½ square inch but not more than 1 square inch (1" x 1");

4 percent, by weight, of units affected by mechanical damage; and

1 percent, by weight, of blemished units and of such 1 percent not more than ½ thereof or ½ of 1 percent, by weight, of all the units may be affected by blemished areas which seriously affect the appearance or eating quality of the unit.

(iv) Peeled white potatoes that fail to meet the requirements of subdivision (iii) of this subparagraph may be given a score of 0 to 27 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

(4) *Texaure.* (i) Peeled white potatoes that possess a good texture may be given a score of 17 to 20 points. "Good texture" means that the units are firm and typical of properly prepared potatoes.

(ii) If the peeled white potatoes possess a fairly good texture, a score of 14 to 16 points may be given. Peeled white potatoes that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly good texture" means that the units may be not more than slightly shriveled, spongy, or flabby.

(iii) Peeled white potatoes that fail to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 21 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

(g) *Tolerances for certification of officially drawn samples.* (1) When certifying samples that have been officially drawn and which represent a specific lot of peeled white potatoes the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if, with respect to those factors which are scored:

(i) Not more than one-sixth of the containers fails to meet the grade indicated by the average of such total scores;

(ii) None of the containers falls more than 4 points below the minimum score for the grade indicated by the average of such total scores;

(iii) None of the containers falls more than one grade below the grade indicated by the average of such total scores;

(iv) The average score of all containers for any factor subject to a limiting rule is within the score range of that factor for the grade indicated by the average of the total scores of the containers comprising the sample; and

(2) All containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification.

(h) *Score sheet for peeled white potatoes.*

Size and kind of container			
Container mark or identification			
Label			
Net weight (in ounces)			
Style			
Size of whole potatoes (count)			
Size of sliced potatoes (diameter)			
Factors	**Score Points**		
I. Color	20	(A) 17–20 (C) [1] 14–16 (SStd.) [1] 0–13	
II. Uniformity of size and shape.	20	(A) 17–20 (C) 14–16 (SStd.) [1] 0–13	
III. Absence of defects	40	(A) 34–40 (C) [1] 28–33 (SStd.) [1] 0–27	
IV. Texture	20	(A) 17–20 (C) [1] 14–16 (SStd.) [1] 0–13	
Total score	100		
Normal flavor and odor			
Grade			

[1] Indicates limiting rule.

Done at Washington, D. C., this 2d day of September 1953.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 53–7783; Filed, Sept. 4, 1953; 8:49 a. m.]

[7 CFR Parts 723, 727]

CIGAR-FILLER TOBACCO, AND CIGAR-FILLER AND BINDER TOBACCO; MARYLAND TOBACCO

NOTICE OF DETERMINATIONS TO BE MADE WITH RESPECT TO TOBACCO MARKETING QUOTAS FOR 1954–55 MARKETING YEAR

Pursuant to the Agricultural Adjustment Act of 1938, as amended, the Secretary of Agriculture is preparing to proclaim national marketing quotas for cigar-filler tobacco, cigar-filler and binder tobacco, and Maryland tobacco, for the 1954–55 marketing year, determine the amount of the national marketing quota for each such kind of tobacco, apportion the national marketing quotas among the several States, and convert the State marketing quotas into State acreage allotments.

The Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1312 (a)), provides that the Secretary of Agriculture shall proclaim a national marketing quota for each marketing year for each kind of tobacco for which a national marketing quota was proclaimed for the immediately preceding marketing year. The act (7 U. S. C. 1301 (b) (15)) defines "tobacco" as each one of the kinds of tobacco listed below comprising the types specified as classified in Service and Regulatory Announcement Numbered 118 (7 CFR Part 30) of the Bureau of Agricultural Economics of the Department:

Flue-cured tobacco, comprising types 11, 12, 13, and 14;

Fire-cured tobacco, comprising types 21, 22, 23, and 24;

Dark air-cured tobacco, comprising types 35 and 36;

Virginia sun-cured tobacco, comprising type 37;

Burley tobacco, comprising type 31;

Maryland tobacco, comprising type 32;

Cigar-filler and cigar-binder tobacco, comprising types 42, 43, 44, 45, 46, 51, 52, 53, 54, and 55;

Cigar-filler tobacco, comprising type 41.

The act provides that any one or more of the types comprising any such kind of tobacco shall be treated as a "kind of tobacco" for the purposes of this act if the Secretary finds that there is a difference in supply and demand conditions as among such types of tobacco which results in a difference in the adjustments needed in the marketings thereof in order to maintain supplies in line with demand. Pursuant to this authority the Secretary has determined (15 F. R. 8214) that type 46 tobacco shall be treated as a separate kind of tobacco for purposes of marketing quotas and price supports on the 1951 and subsequent crops of such tobacco.

The act (7 U. S. C. 1313 (i)) provides that notwithstanding any other provision of the act, whenever after investigation the Secretary determines with respect to any kind of tobacco that a substantial difference exists in the usage or market outlets for any one or more of the types comprising such kind of tobacco and that the quantity of tobacco of such type or types to be produced under the marketing quotas and acreage allotments established pursuant to this section would not be sufficient to provide an adequate supply for estimated market demands and carry-over requirements for such type or types of tobacco, the Secretary shall increase the marketing quotas and acreage allotments for farms producing such type or types of tobacco in the preceding year to the extent necessary to make available a supply of such type or types of tobacco adequate to meet such demands and carry-over requirements. The increases in farm marketing quotas and acreage allotments shall be made on the basis of the production of such type or types of tobacco during the period of years considered in establishing farm marketing quotas and acreage allotments for such kind of tobacco. The additional production authorized by this subsection shall be in addition to the national marketing quota established for such kind of tobacco pursuant to section 312 of this act. The increase in acreage under this subsection shall not be considered in establishing future State or farm acreage allotments.

National marketing quotas were proclaimed for the 1953–54 marketing year as follows:

Kind of tobacco:
Cigar-filler; 17 F. R. 8892.
Cigar-filler and binder; 17 F. R. 8892.
Maryland; 17 F. R. 8893.

The act (7 U. S. C. 1312 (a)) provides that the Secretary shall also determine and specify in such proclamation the amount of the national marketing quota in terms of the total quantity of tobacco which may be marketed, which will make available during such marketing year a supply of tobacco equal to the reserve supply level. The act provides further that the amount of the 1954–55 national marketing quota may, not later than March 1, 1954, be increased by not more than 20 per centum if the Secretary determines that such increase is necessary in order to meet market demands or to avoid undue restriction of marketings in adjusting the total supply to the reserve supply level. The act (7 U. S. C. 1301 (b)) defines the "total supply" of tobacco for any marketing year as the carry-over at the beginning of the marketing year (or on January 1 of such marketing year in the case of Maryland tobacco) plus the estimated production in the United States during the calendar year in which such marketing year begins. "Reserve supply level" is defined as the normal supply plus 5 per centum thereof. "Normal supply" is defined as a normal year's domestic consumption and exports, plus 175 per centum of a normal year's domestic consumption and 65 per centum of a normal year's exports. A "normal year's domestic consumption" is defined as the yearly average quantity produced in the United States and consumed in the United States during the ten marketing years immediately preceding the marketing year in which such consumption is determined, adjusted for current trends in such consumption. A "normal year's exports" is defined as the yearly average quantity produced in the United States which was exported from the United States during the ten marketing years immediately preceding the marketing year in which such exports are determined, adjusted for current trends in such exports.

The act (7 U. S. C. 1312 (b)) requires that within 30 days after a national marketing quota is proclaimed for the 1954–55 marketing year for cigar-filler tobacco, cigar-filler and binder tobacco, or Maryland tobacco, the Secretary shall conduct a referendum of farmers who are engaged in the production of the 1953 crop of each of such kinds of tobacco to determine whether such farmers are in favor of or opposed to such quota. If more than one-third of the farmers voting in the referendum oppose such quota, the quota shall not be effective thereafter. The Secretary is also required to submit to such farmers the question of whether they favor marketing quotas for a period of three years beginning with the 1954–55 marketing year. If two-thirds of the farmers voting on this question favor quotas for such three-year period, the Secretary is required to proclaim marketing quotas for such period. A separate referendum will be held for each of such kinds of tobacco and the results of any referendum will not affect the results of any other referendum.

The act (7 U. S. C. 1313 (a)) requires the Secretary to apportion the national marketing quota, less the amount to be allotted under subsection (c) of section 1313 (small farms and "new" farms), among the several States on the basis of the total production in each State during the five calendar years immediately preceding the calendar year in which the quota is proclaimed, with such adjustments as are determined to be necessary to make correction for abnormal conditions of production, for small farms, and for trends in production, giving the consideration to seed bed and other plant diseases during such five-year period. The act (7 U. S. C. 1313 (g)) authorizes the Secretary to convert State marketing quotas into State acreage allotments on the basis of average yield per acre for the State during the five years last preceding the year in which the national marketing quota is proclaimed, adjusted for abnormal conditions of production.

In making the determinations of the amounts of the national marketing quotas, the apportionment of the quotas among the several States, and the conversion of State marketing quotas into State acreage allotments, consideration will be given to any data, views and recommendations pertaining thereto which are submitted in writing to the Director, Tobacco Branch, Production and Marketing Administration, United States Department of Agriculture, Washington, 25, D. C. All submissions must be postmarked not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER in order to be considered.

Issued at Washington, D. C., this 2d day of September 1953.

[SEAL] M. B. BRASWELL,
Acting Administrator.

[F. R. Doc. 53-7786; Filed, Sept. 4, 1953; 8:50 a. m.]

[7 CFR Part 939]

BEURRE D'ANJOU, BEURRE BOSC, WINTER NELIS, DOYENNE DU COMICE, BEURRE EASTER, AND BEURRE CLAIRGEAU PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA

EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1953–54 FISCAL PERIOD

Consideration is being given to the following proposals which were submitted by the Control Committee, established under the marketing agreement, as amended, and Order No. 39, as amended (7 CFR Part 939), regulating the handling of Beurre D'Anjou, Beurre Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in Oregon, Washington and California, effective under the applicable provisions of the Agricultural Market Agreement Act of 1937, as amended, as the agency to administer the terms and provisions thereof:

(a) That the Secretary of Agriculture find that expenses not to exceed $24,640.00 are likely to be incurred by said committee during the fiscal period beginning July 1, 1953, and ending June 30, 1954, both dates inclusive, for its maintenance and functioning under the aforesaid amended marketing agreement and order; and

(b) That the Secretary of Agriculture fix, as the pro rata share of such expenses which each handler shall pay in accordance with the provisions of the aforesaid amended marketing agreement and order during the aforesaid fiscal period, the rate of assessment at five mills ($0.005) per standard western pear box of pears or its equivalent of pears in other containers or in bulk, shipped by such handler during said fiscal period.

All persons who desire to submit written data, views, or arguments for consideration in connection with the aforesaid proposals may do so by mailing the same to the Director, Fruit and Vegetable Branch, Production and Marketing Administration, Room 2077, South Building, Washington 25, D. C., not later than the 10th day after the publication of this notice in the FEDERAL REGISTER.

Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 2d day of September 1953.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 53-7782; Filed, Sept. 4, 1953; 8:49 a. m.]

[7 CFR Part 949]

[Docket No. AO-232-A-2]

MILK IN THE SAN ANTONIO, TEXAS, MARKETING AREA

NOTICE OF EXTENSION OF TIME FOR FILING EXCEPTIONS

Notice is hereby given that the time within which interested parties may file written exceptions to the recommended decision of the Acting Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the San Antonio, Texas, market-area, which was issued on August 20, 1953, and published in the FEDERAL REGISTER on August 26, 1953 (18 F. R. 5088), is hereby extended to the close of business on September 15, 1953. Exceptions filed pursuant to this notice should be filed with the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., in quadruplicate.

Dated: September 3, 1953, at Washington, D. C.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator.

[F. R. Doc. 53-7826; Filed, Sept. 4, 1953; 9:14 a. m.]

[7 CFR Part 958]

IRISH POTATOES GROWN IN COLORADO

NOTICE OF PROPOSED BUDGETS AND RATE OF ASSESSMENTS

Notice is hereby given that the Secretary of Agriculture is considering the approval of the budgets and rate of assessments hereinafter set forth which were recommended by the administrative committees for Areas No. 2 and 3, established pursuant to Marketing Agreement No. 97 and Order No. 58 (7 CFR Part 958), regulating the handling of Irish potatoes grown in the State of Colorado issued under the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended, 7 U. S. C. 601 et seq.).

Consideration will be given to any data, views or arguments pertaining thereto which are filed in triplicate with the Director, Fruit and Vegetable Branch, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C., not later than 15 days following publication in the FEDERAL REGISTER. The proposals are as follows:

§ 958.214 *Budgets of expenses and rate of assessments.* (a) The expenses necessary to be incurred by the administrative committees for Areas No. 2 and 3, established pursuant to Marketing Agreement No. 97 and Order No. 58 to enable such committees to carry out their functions pursuant to the provisions of the aforesaid marketing agreement and order during the fiscal year ending May 31, 1954, will amount to $3,024 for Area No. 2 and $2,380 for Area No. 3.

(b) The rate of assessments to be paid by each handler who first ships potatoes from Area No. 2 shall be $0.001 per hundredweight and from Area No. 3 shall be $0.0017 per hundredweight of potatoes handled by each handler as the first handler thereof in the respective production areas during said fiscal year, and

(c) The terms used in this section shall have the same meaning as when used in Marketing Agreement No. 97 and Order No. 58 (7 CFR Part 958).

(Sec. 5, 49 Stat. 753, as amended, 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 2nd day of September 1953.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 53-7784; Filed, Sept. 4, 1953; 8:50 a. m.]

NOTICES

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 8959, 10641]

RADIO WISCONSIN, INC., AND BADGER TELEVISION CO., INC.

ORDER CONTINUING HEARING

In re applications of Radio Wisconsin, Inc., Madison, Wisconsin, Docket No. 8959, File No. BPCT-410; Badger Television Co., Inc., Madison, Wisconsin, Docket No. 10641, File No. BPCT-1472; for construction permits for new television stations.

A pre-trial conference was held in the above entitled matter at the Commission's offices on August 18, 1953. The parties agreed to exchange certain supplemental information looking toward a more precise evaluation of each others cases and points of reliance. An informal understanding as to the scope of the information proposed to be exchanged was reached and agreed upon. In order to accommodate the schedule of counsel for the applicants and the Commission's Broadcast Bureau and in order to permit an opportunity to obtain and properly develop and exchange the supplemental information heretofore referred to, it was agreed that the conference now set for September 11, 1953, would be deferred until October 2, 1953. In the intervening period, parties will exchange the supplemental information and on October 2d will submit to the Examiner a precise statement of those matters upon which they wish to rely.

Accordingly, it is ordered, That the hearing conference designated for September 11, 1953, be advanced to, and be held on, October 2, 1953, at 10:00 a. m., at Washington, D. C.

Dated: August 28, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 53-7778; Filed, Sept. 4, 1953; 8:48 a. m.]

[Docket No. 9964]

AZALEA BROADCASTING CO.

ORDER SCHEDULING HEARING

In re application of Charles W. Holt, Clarence M. Dossett, Dave A. Matison, Jr., and Bernard Reed Green, d/b as Azalea Broadcasting Company, Mobile, Alabama, Docket No. 9964, File No. BP-7830; for construction permit.

The Commission having under consideration its order of February 12, 1953, granting a petition filed by applicant herein requesting an indefinite continuance of the hearing then scheduled for February 18, 1953, pending a relocation of the proposed antenna site;

It is ordered, This 31st day of August 1953, on the Examiner's own motion, that the hearing herein is scheduled for Monday, the 12th day of October 1953, at 10:00 a. m., at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 53-7779; Filed, Sept. 4, 1953; 8:48 a. m.]

[Docket No. 10645]

GLOBE WIRELESS, LTD.

ORDER CONTINUING HEARING

In the matter of Globe Wireless Ltd., Docket No. 10645, File No. 1171-C4-ML-53; application for modification of its Mussel Rock, California, point-to-point radiotelegraph station license to authorize addressed press service.

Globe Wireless Ltd., having filed, on August 28, 1953, a petition to vacate order granting application and for dismissal of application, the hearing now scheduled for September 8, 1953, is continued without date, pending action by the Commission on the petition.

Dated: August 31, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 53-7780; Filed, Sept. 4, 1953; 8:48 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

PEANUTS

NOTICE OF REDELEGATION OF FINAL AUTHORITY BY GEORGIA STATE PRODUCTION AND MARKETING ADMINISTRATION COMMITTEE REGARDING MARKETING QUOTA REGULATIONS FOR 1953 CROP

The Marketing Quota Regulations for the 1953 Crop of Peanuts (18 F. R. 3316), issued pursuant to the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301-1393), provides that any authority delegated to the State Production and Marketing Administration Committee by the regulations may be redelegated by the State committee. In accordance with section 3 (a) (1) of the Administrative Procedure Act (5 U. S. C. 1002 (a)), which requires delegations of final authority to be published in the FEDERAL REGISTER, there are set out herein the redelegations of final authority which have been made by the Georgia State Production and Marketing Administration Committee of authority vested in such committee by the Secretary of Agriculture in the regulations referred to above. There are set out below the sections of the regulations in which such authority appears and the person of the Production and Marketing Administration to whom the authority has been redelegated.

GEORGIA

Sections 729.441 (j) (2) and 729.453 (b): T. R. Breedlove, Chairman, State PMA Committee; W. H. Booth, Member, State PMA Committee; A. C. Jarrell, Marketing Quota Specialist; and M. S. Fendley, Assistant Marketing Quota Specialist.

Sections 729.453 (c) and 729.462 (d): T. R. Breedlove, Chairman, State PMA Committee and W. H. Booth, Member, State PMA Committee.

Section 729.461 (b) (2): T. R. Breedlove, Chairman, State PMA Committee; W. H. Booth, Member, State PMA Committee; and A. C. Jarrell, Marketing Quota Specialist.

Issued at Washington, D. C., this 2d day of September 1953.

[SEAL] M. B. BRASWELL,
Acting Administrator, Production and Marketing Administration.

[F. R. Doc. 53-7785; Filed, Sept. 4, 1953; 8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[Docket No. 70-3100]

COLUMBIA GAS SYSTEM, INC., ET AL.

ORDER AUTHORIZING ISSUANCE AND SALE OF SECURITIES BY SUBSIDIARIES TO PARENT COMPANIES

SEPTEMBER 1, 1953.

In the matter of The Columbia Gas System, Inc., Atlantic Seaboard Corporation, Amere Gas Utilities Company, Virginia Gas Distribution Corporation; File No. 70-3100.

The Columbia Gas System, Inc. ("Columbia"), a registered holding company, its wholly owned subsidiary Atlantic Seaboard Corporation ("Seaboard"), also a registered holding company, and Amere Gas Utilities Company ("Amere") and Virginia Gas Distribution Corporation ("Distribution"), wholly owned subsidiaries of Seaboard, having filed a joint application-declaration and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("the act"), designating sections 6 (b), 7, 9 and 10 of the act as applicable to proposed transactions, which are summarized as follows:

Seaboard will issue and sell and Columbia will purchase $1,950,000 principal amount of Seaboard's Installment Notes to provide Seaboard with the funds required to meet its own construction program and to supply funds required by its two subsidiaries.

Amere will issue and sell and Seaboard will purchase $325,000 principal amount of Amere's Installment Notes,

Distribution will issue and sell and Seaboard will purchase 6,000 additional shares of Distribution's Common Stock, at the par value of $25 per share, and $425,000 principal amount of its Installment Notes.

All of said Installment Notes will be sold at face value, and they will be payable in 25 equal annual installments on February 15 of each of the years 1955 to 1979 inclusive. Interest on the unpaid principal thereof will be payable semiannually at the rate of 4 percent per annum or such lower rate, being a multiple of ⅛ of 1 percent, as shall be not less than the cost of money to Columbia in respect of its next sale of Debentures. Such notes will be issued and sold only as cash is required to finance the several construction programs, but not later than March 31, 1954.

The proposed issuance and sale of securities by Amere and by Distribution having been expressly authorized by orders of the Public Service Commission of West Virginia and the State Corporation Commission of the Commonwealth of Virginia, respectively;

Due notice having been given of the filing of the joint application-declaration as amended and a hearing not having been requested of or ordered by the Commission; and the Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application-declaration, as amended, be granted and permitted to become effective forthwith without the imposition of terms and conditions, other than those contained in Rule U-24:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said application-declaration, as amended, be, and it hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 53-7772; Filed, Sept. 4, 1953; 8:47 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1697]

NATURAL GAS PIPELINE CO. OF AMERICA

NOTICE OF EXTENSION OF TIME

AUGUST 31, 1953.

Upon consideration of motion, filed August 27, 1953, by Staff Counsel, for extension of time for filing exceptions to the Presiding Examiner's decision;

Notice is hereby given that an extension of time is granted to and including September 25, 1953, for filing exceptions to the Presiding Examiner's decision in the above-designated matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 53-7758; Filed, Sept. 4, 1953; 8:45 a. m.]

[Docket No. G-2185]

MONTANA-DAKOTA UTILITIES CO.

ORDER FIXING DATE OF HEARING

On June 8, 1953, Montana-Dakota Utilities Co. (Applicant), a Delaware corporation having its principal place of business at Minneapolis, Minnesota, filed an application, which was supplemented on July 16, 1953, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural-gas transmission facilities, subject to the jurisdiction of the Commission, as fully described in the application and supplement on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure. Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest, or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on June 25, 1953 (18 F. R. 3652).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on September 18, 1953, at 9:30 a. m. in the Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved and the issues presented by such application, as supplemented: *Provided, however,* That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Adopted: September 1, 1953.

Issued: September 1, 1953.

By the Commission.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 53-7769; Filed, Sept. 4, 1953; 8:46 a. m.]

[Docket No. G-2202]

CITIES SERVICE GAS CO.

ORDER FIXING DATE OF HEARING

On June 29, 1953, Cities Service Gas Company (Applicant), a Delaware corporation having its principal place of business in Oklahoma City, Oklahoma, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural-gas transmission facilities, subject to the jurisdiction of the Commission, as described in the application on file with the Commission and open to public inspection.

The Commission finds:

(1) This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on August 15, 1953 (18 F. R. 4896).

(2) It is reasonable and in the public interest and good cause exists for fixing the date of hearing in this proceeding less than 15 days after publication of this order in the FEDERAL REGISTER.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on September 14, 1953, at 9:30 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by the application: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Adopted: September 1, 1953.

Issued: September 1, 1953.

By the Commission.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 53-7770; Filed, Sept. 4, 1953; 8:46 a. m.]

[Docket Nos. G-2231, G-2232]

TOWN OF DEKALB, MISSISSIPPI AND MISSISSIPPI VALLEY GAS CO.

NOTICE OF APPLICATIONS

SEPTEMBER 1, 1953.

Take notice that the Town of DeKalb, Mississippi (Applicant), a municipal corporation, organized and existing under the laws of the State of Mississippi, filed an application on August 17, 1953, with the Federal Power Commission pursuant to section 7 (a) of the Natural Gas Act requesting the Commission to direct Southern Natural Gas Company (Southern) to establish physical connection of its natural-gas transportation facilities with the facilities to be constructed by Applicant for the transportation of gas to and the distribution of gas in the Town of DeKalb, and the area adjacent thereto, and along Applicant's transmission line.

Applicant proposes to construct a 3-inch pipeline, approximately 10 miles long, to transport gas from Southern's 6-inch pipeline, in Kemper County, Mississippi, to the Town's border, and to construct a natural-gas distribution system within the Town and its environs.

Applicant states that $200,000 of revenue bonds, which are to bear interest at the rate of 4 percent, to provide the funds necessary to construct the proposed facilities have been authorized by an election held by Applicant, as provided by the laws of the State of Mississippi.

Applicant further states that it has entered into a lease agreement (Exhibit B to the application) with Mississippi Valley Gas Company (Mississippi Valley) to lease to Mississippi Valley its proposed transmission line and distribution system for a period of 25 years on the terms set forth in Exhibit B.

On August 17, 1953, Mississippi Valley, a Mississippi corporation with its principal office in Jackson, Mississippi, filed an application with the Commission pursuant to section 7 (c) of the Natural Gas Act for authority to lease and operate the natural-gas facilities to be constructed by the Town of DeKalb pursuant to the lease agreement between the Town and Mississippi Valley, referred to above.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 19th day of September 1953. The applications are on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 53-7759; Filed, Sept. 4, 1953; 8:45 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 28401]

VARIOUS COMMODITIES FROM TRUNK-LINE AND NEW ENGLAND TERRITORIES TO SOUTHERN, CENTRAL AND WESTERN TRUNK-LINE TERRITORIES

APPLICATION FOR RELIEF

SEPTEMBER 2, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin and I. N. Doe, Agents for carriers parties to schedules listed in exhibit A of the application, pursuant to fourth-section order No. 17220.

Commodities involved: Various commodities.

From: Points in trunk-line and New England territories.

To: Points in southern, central and western trunk-line territories.

Grounds for relief: Competition with rail carriers, circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Acting Secretary.*

[F. R. Doc. 53-7761; Filed, Sept. 4, 1953; 8:45 a. m.]

[4th Sec. Application 28402]

VARIOUS COMMODITIES BETWEEN POINTS IN TEXAS AND POINTS IN OFFICIAL AND SOUTHERN TERRITORIES

APPLICATION FOR RELIEF

SEPTEMBER 2, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to schedules listed in exhibit A of the application, pursuant to fourth-section order No. 17220.

Commodities involved: Vinyl acetate, in tankcar loads, and carbon furnace or electrolytic bath electrodes (carbon plugs), carloads.

Between: Points in Texas, on the one hand, and points in official and southern territories, on the other.

Grounds for relief: Competition with rail carriers, circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-7762; Filed, Sept. 4, 1953; 8:46 a. m.]

[4th Sec. Application 28403]

BARITE ORE FROM LAREDO, TEX., TO POINTS IN TEXAS

APPLICATION FOR RELIEF

SEPTEMBER 2, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for the International-Great Northern Railroad Company and other carriers.

Commodities involved: Barite ore (barytes).

From: Laredo, Tex. (when originating in Mexico).

To: Points in Texas.

Grounds for relief: Competition with rail carriers, circuitous routes.

Schedules filed containing proposed rates: F. C. Kratzmeir's tariff I. C. C. No. 3973, Supp. 27.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-7763; Filed, Sept. 4, 1953; 8:46 a. m.]

[Rev. S. O. 562, Taylor's I. C. C. Order 25-A]

FERNWOOD, COLUMBIA & GULF RAILROAD CO.

REROUTING OR DIVERSION OF TRAFFIC

Upon further consideration of Taylor's I. C. C. Order No. 25 and good cause appearing therefor: *It is ordered,* That:

(a) Taylor's I. C. C. Order No. 25 be, and it is hereby vacated and set aside.

(b) Effective date: This order shall become effective at 2:00 p. m., August 31, 1953.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., August 31, 1953.

INTERSTATE COMMERCE COMMISSION,
CHARLES W. TAYLOR,
Agent.

[F. R. Doc. 53-7760; Filed, Sept. 4, 1953; 8:45 a. m.]